

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re

U.S. Application of: Hitoshi HAGIMORI, Yasushi YAMAMOTO, Genta
YAGYU and Kazuhiko ISHIMARU

For: IMAGING DEVICE AND DIGITAL CAMERA USING
THE IMAGING DEVICE

Confirmation No.: 8204 (Second Confirmation No. 9270)

U.S. Serial No.: 10/609,232 (Second Serial No. 10/609,343)

Filed: June 27, 2003

Group Art Unit: 2612

Examiner: To be assigned

MAIL STOP MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

EXPRESS MAIL MAILING LABEL NO.: EL 794581632 US
DATE OF DEPOSIT: NOVEMBER 3, 2004
I hereby certify that this paper or fee is being deposited with the
United States Postal Service "Express Mail Post Office to Addressee"
service under 37 C.F.R. § 1.10 on the date indicated above and is
addressed to MAIL STOP MISSING PARTS, Commissioner for
Patents, Alexandria, VA 22313-1450.

DERRICK GORDON

Name of Person Mailing Paper or Fee

A handwritten signature in black ink, appearing to read "Derrick Gordon".

Signature

NOVEMBER 3, 2004

Date of Signature

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b)**

The Notice to File Missing Parts of Nonprovisional Application dated October 18, 2004 (copy enclosed, for Serial No. 10/609,343 with confirmation number 9270), indicates that filing fees for the second application have not been paid.

As will be explained more fully below, Applicants believe that the Notice to File Missing Parts of Nonprovisional Application for Serial No. 10/609,343 was issued in error.

Serial No.: 10/609,232

An Applicants' representative contacted the USPTO on October 21, 2004, and from that conversation, understood that the two U.S. patent applications have mix matching documents in the PTO's files.

Applicants enclose copies of:

- (a) PATENT APPLICATION post card receipt bearing the date stamp of the USPTO with the Serial No. 10/609,232;
- (b) SUBMISSION OF CERTIFIED COPY OF PRIORITY DOCUMENT post card receipt bearing the date stamp of the USPTO with the Serial No. 10/609,343;
- (c) INFORMATION DISCLOSURE STATEMENT post card receipt bearing the date stamp of the USPTO with the Serial No. 10/609,343;
- (d) Filing Receipt for Serial No. 10/609,232 (with customer number 24367) with the correct inventor information, the filing fee received, the correct title and the correct specification/drawings information;
- (e) Filing Receipt for Serial No. 10/609,343 (*without* customer number 24367) with the correct inventor information but no residence addresses, the incorrect title, the incorrect priority information, and the incorrect specification/drawings information;
- (f) Supplemental Information Disclosure Statement filed on October 2, 2003 (mailed to the PTO on September 30, 2003) for Serial No. 10/609,232; and
- (g) Supplemental Information Disclosure Statement filed on October 27, 2003 (mailed to the PTO on October 22, 2003) for Serial No. 10/609,232.

As two serial numbers have been assigned to this U.S. application, Applicants will not respond to the Notice of Missing Parts for Serial No. 10/609,343.

Applicants request confirmation that all the correct documents are in the PTO file for Serial No. 10/609,232.

Applicants are of the belief that no fee or surcharge is due in connection with the Notice to File Missing Parts for Serial No. 10/609,343. However, if it is determined that a fee is due, please charge any fee (other than the issue fee) required during the pendency of

Serial No.: 10/609,232

this application to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.
Please credit any overpayment to Deposit Account No. 18-1260.

This document is being filed in duplicate.

Respectfully submitted,

By: _____

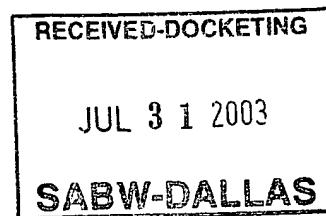


Douglas A. Sorensen
Registration No. 31,570
Attorney for Applicants

DAS/llb
SIDLEY AUSTIN BROWN & WOOD LLP
717 N. Harwood, Suite 3400
Dallas, Texas 75201
Direct: (214) 981-3482
Main: (214) 981-3300
Facsimile: (214) 981-3400

November 3, 2004

DAI 312645v1



ATTORNEY: TNT:pm

FEE: \$822.00

PAPERS: PATENT APPLICATION, comprised of Specification (52 pgs., including 24 claims and an abstract); Executed Declaration and Power of Attorney (9 pgs.); Formal Drawings (22 sheets - Figs. 1-22); Transmittal Letter (with Deposit Account Authorization) (2 pgs.) (in duplicate) (Via Express-Mail, with Mail Certification)

INVENTOR(s): Hitoshi HAGIMORI et al.

SERIAL NO.: EARLY ASSIGNMENT REQUESTED

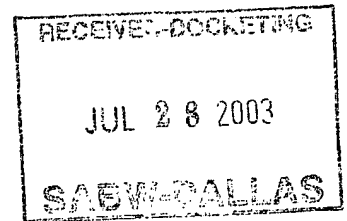
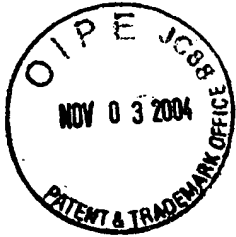
CLIENT NO.: 15162 FILE: 05550

DUE 07/04/2003 MAILED: 06/27/2003

TITLE: IMAGING DEVICE AND DIGITAL CAMERA USING
THE IMAGING DEVICE

THE STAMP OF THE PATENT AND TRADEMARK OFFICE
HEREON INDICATES RECEIPT OF THE ABOVE-IDENTIFIED DOCUMENT





ATTORNEY: TNT:pm

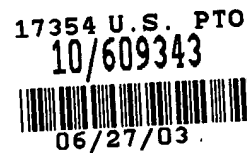
FEE: -0-

PAPERS: SUBMISSION OF CERTIFIED COPY OF
PRIORITY DOCUMENT (2 pgs.) transmitting Japanese Pat.
Appln. 2002-196171 (74 pages) (Via Express Mail with Certificate of
Mailing)

INVENTOR(s): Hitoshi HAGIMORI et al.
SERIAL NO.: EARLY ASSIGNMENT REQUESTED
CLIENT NO.: 15162 FILE: 05550
DUE N/A MAILED: 06/27/2003

TITLE: IMAGING DEVICE AND DIGITAL CAMERA USING
THE IMAGING DEVICE

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ATTORNEY: TNT:pm

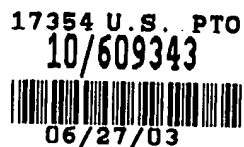
FEE: -0-

PAPERS: INFORMATION DISCLOSURE STATEMENT (3
pages); PTO-1449 Form (1 page) and copies of ten (10) cited
references (Via Express Mail with Certificate of Mailing)

INVENTOR(s): Hitoshi HAGIMORI et al.
SERIAL NO.: EARLY ASSIGNMENT REQUESTED
CLIENT NO.: 15162 FILE: 05550
DUE 09/27/2003 MAILED: 06/27/2003

TITLE: IMAGING DEVICE AND DIGITAL CAMERA USING
THE IMAGING DEVICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/609,343	06/27/2003	Hitoshi Hagimori	15162/05550

SIDLEY AUSTIN BROWN & WOOD LLP
 Suite 3400
 717 N. Harwood
 Dallas, TX 75201



CONFIRMATION NO. 9270

FORMALITIES LETTER



OC000000014103768

Date Mailed: 10/18/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/04/2004 SSESHE1 00000113 181260 10609343

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 790.00 DA
 02 FC:1201 264.00 DA
 03 FC:1202 18.00 DA
 04 FC:1051 130.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 790 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$282 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

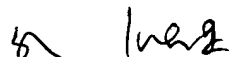
Total additional fee(s) required for this application is \$1202 for a Large Entity

- \$790 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$282**
 - **\$264** for **3** independent claims over 3.
 - **\$18** for **1** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE